

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	Hon. Claire C. Cecchi, U.S.D.J.
v.	:	Crim. No. 19-877 (CCC)
MATTHEW GOETTSCHE, RUSS ALBERT MEDLIN, JOBADIAH SINCLAIR WEEKS, JOSEPH FRANK ABEL, and SILVIU CATALIN BALACI,	:	PARTIAL VACATUR OF POST INDICTMENT RESTRAINING ORDER PURSUANT TO 21 U.S.C. § 853(e)(1)(A)
Defendants.	:	

WHEREAS, on or about July 20, 2021, pursuant to 21 U.S.C. § 853(e)(1)(A), the Court entered an *Ex Parte* Post-Indictment Restraining Order (“Order”) ordering that Matthew Brent Goettsche (“Goettsche”), Russ Albert Medlin, and Jobadiah Sinclair Weeks, and all their attorneys, agents, other family members, and anyone acting on their behalf, and all persons or entities acting for or in concert with or in participation with any of the above, and all persons and entities having actual knowledge of the order shall not directly or indirectly, transfer, sell, assign, pledge, distribute, hypothecate, encumber, attach, or dispose of in any manner; cause to be transferred, sold, assigned, pledged, distributed, hypothecated, encumbered, attached, or disposed of in any manner; or take, or cause to be taken, any action that would have the effect of depreciating, damaging, or in any way diminishing the value of certain properties listed on the Order;

WHEREAS, among those listed properties is any and all ownership interest held in the name, on behalf or for the benefit of Matthew Brent

Goettsche, GoBit LLC, Bitwealth Holdings LLC, Bitwealth Investments, Inc., Bitwealth Oil & Gas LLC, Reel Men LLC, Getch Holdings LLC and Hard Fork Holdings LLC in the assets of Cryptowatt Mining, LLC and Cryptowatt Investment Partners, LLC (“Specific Property”);

WHEREAS, the Specific Property was the subject of a Confidential Global Settlement Agreement and General Mutual Release executed on August 23, 2020 between and among Goettsche individually; Hardfork Holdings, Inc. (“Hard Fork”),¹ acting at the direction of its Chief Executive Officer Goettsche; Cryptowatt Investment Partners, LLC, acting at the direction of its Chief Executive Officer, Goettsche; Kevin Washington (“Washington”) individually; CryptoWatt Management, LLC (“Cryptowatt”), acting at the direction of its Sole Member, Washington; Rick Tabish individually; and FX Solutions, Inc., acting at the direction of its President, Tabish (“Settlement Agreement”);

WHEREAS, the Order was issued after the Settlement Agreement was executed;

WHEREAS, pursuant to the Settlement Agreement Washington, Atlas Power, LLC, or Atlas Power Holdings, LLC (collectively with Washington and

¹ The Restraining Order references Hard Fork Holdings LLC, which entity does not exist, instead of Hard Fork Holdings Inc., which is a party to the Settlement Agreement. For the purposes of the Stipulation only, the parties agreed that the Government’s use of Hard Fork Holdings LLC in the Restraining Order is meant to refer to Hard Fork Holdings Inc. Goettsche otherwise reserved all rights.

Atlas Power LLC, "Atlas") to pay \$7,500,000 to Hard Fork to purchase Hard Fork's interest in the Specific Property;

WHEREAS, on February 25, 2022, Kobre & Kim LLP represented to the United States that, pursuant to the Settlement Agreement, the initial \$2,000,000 payment made for the Specific Property was reduced by \$6,858.50 which was Goettsche's share of the closing costs for the transaction; and

WHEREAS, pursuant to a Stipulation and Modification of the Order ordered by the Court on March 7, 2022, the United States; Goettsche individually; Hard Fork; Kobre & Kim LLP; Washington; Atlas Power, LLC; and Atlas Power Holdings, LLC agreed that the payments made to Hard Fork for the Specific Property would be held in Kobre & Kim LLP's attorney trust account; and

WHEREAS, on June 30, 2023, Kobre & Kim LLP represented to the United States that it held \$7,493,141.50 representing payment for the Specific Property in its attorney trust account; and

WHEREAS, Atlas has made the requisite payments to purchase the Specific Property;

WHEREAS, Atlas is a bona fide purchaser for value of the Specific Property without reason to know of the forfeiture;

WHEREAS, Goettsche no longer has an interest in the Specific Property;

WHEREAS, the United States moves to strike the Specific Property from the Order;

WHEREAS, the United States moves to strike the reference to Hard Fork Holdings LLC in paragraph 4 on page 5 of the Order;

WHEREAS, upon the request of the United States the Order is hereby amended as follows.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED
THAT:

1. Paragraph 4(o) on page 6 of the Order is hereby stricken.
2. The reference to Hard Fork Holdings LLC in paragraph 4 on page 5 of the Order is hereby stricken.
3. The Order shall remain in full force and effect in all other respects.
4. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary.

ORDERED this day of December 2023.

Hon. Claire C. Cecchi
United States District Judge

The undersigned hereby consent to
the entry and form of this Order:

Philip R. Sellinger
United States Attorney

s/ Joseph N. Minish

By: Joseph N. Minish
Assistant United States Attorney

Dated: 12-1-23